

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the present application:

Claims 1-6 and 9-11 (Cancelled).

7. (Currently Amended) A catalyst produced by ~~the a process according to claim 1,~~
comprising:

(a) providing a mixed metal oxide having the empirical formula



wherein A is at least one element selected from the group
consisting of Mo and W, N is at least one element selected from the
group consisting of Te, Se and Sb, and X is at least one element
selected from the group consisting of Nb, Ta, Ti, Al, Zr, Cr, Mn, Fe,
Ru, Co, Rh, Ni, Pt, Bi, B, In, Ce, As, Ge, Sn, Li, Na, K, Rb, Cs,
Fr, Be, Mg, Ca, Sr, Ba, Ra, Hf, Ag, Pb, P, Pm, Eu, Gd, Dy, Ho, Er,
Tm, Yb, Lu, Au, Ag, Re, Pr, Zn, Ga, Pd, Ir, Nd, Y, Sm, Tb, Br, Cu and Sc,
wherein A, V, N and X are present in such amounts that the atomic
ratio of A : V : N : X is a : b : c : d, and
wherein, when a = 1, b = 0.1 to 2, c = 0.1 to 1, d = 0.01 to 1 and e is
dependent on the oxidation state of the other elements,

(b) contacting said mixed metal oxide with a liquid contact member selected from the
group consisting of organic acids, alcohols, inorganic acids and hydrogen peroxide to
form a contact mixture;

(c) recovering insoluble material from said contact mixture; and

(d) calcining said recovered insoluble material in a non-oxidizing atmosphere to form
said catalyst.

8. (Currently Amended) A process for producing an unsaturated nitrile which comprises subjecting an alkane, or a mixture of an alkane and an alkene, and ammonia to a vapor phase catalytic oxidation reaction in the presence of a catalyst produced by the process ~~according to claim 1~~ comprising:

(a) providing a mixed metal oxide having the empirical formula



wherein A is at least one element selected from the group
consisting of Mo and W, N is at least one element selected from the
group consisting of Te, Se and Sb, and X is at least one element
selected from the group consisting of Nb, Ta, Ti, Al, Zr, Cr, Mn, Fe,
Ru, Co, Rh, Ni, Pt, Bi, B, In, Ce, As, Ge, Sn, Li, Na, K, Rb, Cs,
Fr, Be, Mg, Ca, Sr, Ba, Ra, Hf, Ag, Pb, P, Pm, Eu, Gd, Dy, Ho, Er,
Tm, Yb, Lu, Au, Ag, Re, Pr, Zn, Ga, Pd, Ir, Nd, Y, Sm, Tb, Br, Cu and Sc,
wherein A, V, N and X are present in such amounts that the atomic
ratio of A : V : N : X is a : b : c : d, and
wherein, when a = 1, b = 0.1 to 2, c = 0.1 to 1, d = 0.01 to 1 and e is
dependent on the oxidation state of the other elements,

(b) contacting said mixed metal oxide with a liquid contact member selected from the
group consisting of organic acids, alcohols, inorganic acids and hydrogen peroxide to
form a contact mixture;

(c) recovering insoluble material from said contact mixture; and

(d) calcining said recovered insoluble material in a non-oxidizing atmosphere to form
said catalyst.

12. (New) The process for producing an unsaturated nitrile according to claim 8, wherein the mixed metal oxide of (a) is an orthorhombic phase mixed metal oxide.

13. (New) The process for producing an unsaturated nitrile according to claim 8, wherein the calcined recovered material is ground.

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and MPEP §§ 609 I.A.2. and 609 D., Applicants hereby submit the attached Form PTO-1449, in duplicate, which lists thereon all of the documents officially cited to the United States Patent Trademark Office and officially made of record in connection with Applicants' co-pending parent application, U.S. Serial No. 10/117,908, filed April 8, 2002. Pursuant to MPEP § §§ 609 I.A.2. and 609 D., since the present application is a divisional of parent application U.S. Serial No. 10/117,908 and all of the documents listed on the attached Form PTO-1449 were officially considered and made of record in the parent application, it is believed that the attached Form PTO-1449 is sufficient to enable the Examiner in charge of the present divisional application to consider and make officially of record all of the documents listed thereon. Thus, no copies of any of the documents listed on the attached Form PTO-1449 are being submitted to the United States Patent and Trademark Office.

The filing of this Information Disclosure Statement shall not be construed to mean that a search has been made, nor that no other material information, as defined in 37 C.F.R. § 1.56(a), exists. Furthermore, inclusion of a document on the attached Form PTO-1449 is not intended to constitute an admission that any document so disclosed is "prior art" with respect to the present invention unless specifically so stated herein.

In the foregoing circumstances, it is respectfully requested that each of the documents listed on the attached Form PTO-1449 be officially made of record in the present divisional application and printed on the face of any patent which issues therefrom.